

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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BRAINWAVE SCIENCE, INC.

Plaintiff,

- against -

21-cv-4402 (BMC)

ARSHEE, INC., DR. LAWRENCE A. FARWELL,
DR. THIERRY MAISON and
BRAIN FINGERPRINTING FOUNDATION

Defendants.
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ABUL KALAM AZAD, being duly sworn, hereby declares under penalty of perjury as follows:

1. I am the sole owner and operator of defendant ARSHEE, INC. ("Arshee").
2. I have owned and operated Arshee since 2008.
3. I currently reside in Bangladesh and am there now, as this Declaration is executed.
4. From approximately 2008 to 2016, Arshee operated as a New York corporation and did business from a location in Jamaica, Queens.
5. Arshee is a broker and nothing more.
6. Arshee has nothing to do with the making or development of software used in brain fingerprinting technology or any other technology.
7. Arshee has acted a broker for many companies which sell their technology products in Bangladesh. The technology is varied and includes Astrophysics Scanning System, Garrett Metal Detectors, CommPort Technologies, Evolv Technology, Digital Intelligence, Gilardoni S.p.A in addition to brain fingerprinting.

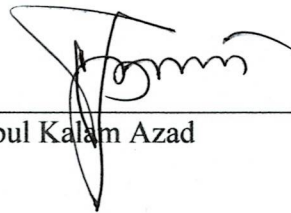
8. Arshee has no presence in the State of New York, does not transact business there and has no contacts with New York whatsoever. The only contact Arshee once had was as described above.
9. None of the business conducted with the other Defendants in this case took place in New York.
10. I conduct no other business in New York; I have no clients in New York.
11. Arshee could just as easily do business with the Plaintiff Brainwave Science, Inc. ("BWS") as it could with any of the other Defendants.
12. Arshee submitted a bid to the Bangladesh government for Defendants Farwell and Maison for the sale of their brain fingerprinting technology.
13. I know Dr. Farwell and Dr. Maison as recognized experts in the field of brain fingerprinting technology and had no reason to question the propriety of submitting the bid to the Bangladesh government.
14. I do not know Plaintiff BWS or its owner, Mr. Krishna Ika.
15. I have never done business with BWS.
16. It is my understanding that BWS seeks a preliminary injunction preventing the sale of its technology by Drs. Farwell and Maison.
17. To my knowledge, Drs. Farwell and Maison have only sold and marketed brain fingerprinting technology that they developed as they are both leading experts in the field, and that Dr. Farwell is actually the inventor of Brain Fingerprinting technology.
18. Arshee is more than willing to abide any Court order regarding the sale of BWS products but to impose a restraining order on Arshee from selling any brain fingerprinting technology, whether on behalf of BWS, Farwell, Maison or any other entity that sells this

product (there are several such entities that do so) would cause undue hardship on Arshee and adversely affect our revenue.

19. If either Farwell, Maison or BWS has violated any laws pertaining to the sale of technology, they alone should bear the burden of doing so, not Arshee which is an innocent third party to their dispute.

20. I ask respectfully that the Court not issue any injunction that would prevent Arshee or me individually from selling, distributing or brokering any brainwave technology as it is described in the Complaint.

Dated: Richland, Washington
November 14, 2021



Abul Kalam Azad

Sworn to before me this ____ day of November, 2021

Notary Public